


TECHNICAL MEMORANDUM

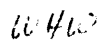
Utah Coal Regulatory Program

OK

January 4, 2007

TO: Internal File

THRU: Pamela Grubaugh-Littig, Permit Supervisor 

FROM: Wayne H. Western, Environmental Scientist III 

RE: 1st North Federal Lease Boundary Addition, CONSOL Energy Company, Emery Deep Mine, C/015/0015, Task ID #2646

SUMMARY:

On September 13, 2006, the Division received an amendment to increase the permit area at the Emery Deep Mine by 160-acres. The additional area contains both private and federal coal. The Permittee will not disturb and surface areas associated with the 160-acre addition. This memo covers engineering and bonding issues.

TECHNICAL MEMO

TECHNICAL ANALYSIS:

GENERAL CONTENTS

ENVIRONMENTAL RESOURCE INFORMATION

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR 783., et. al.

PERMIT AREA

Regulatory Requirements: 30 CFR 783.12; R645-301-521.

Analysis:

The Permittee did not meet the minimum requirements for this section. The Permittee must give a description of the permit area in the text or in tables. The permit area description must include the legal description, the number of acres and the number of acres that are under federal, State and private control for the entire permit.

Findings:

The information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Before approval, the Permittee must provide the following in accordance with:

R645-301-520, The Permittee must give a description of the permit area in the text or in a table. The information must state how many acres are fee, State and federal.

MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION

Regulatory Reference: 30 CFR 783.24, 783.25; R645-301-323, -301-411, -301-521, -301-622, -301-722, -301-731.

Analysis:

Permit Area Boundary Maps

The Permittee did not meet the requirements of this section. The Permittee must update all maps that show the permit boundaries to show the revised permit boundaries.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Before approval, the Permittee must provide the following in accordance with:

R645-301-521.132 and R645-301-521.190, The Permittee must update all maps in the MRP that show the permit boundary to show the inclusion of the 160-acre IBC. In addition, the Permittee must show the permit boundaries on the maps as if the Division had approved the permit boundary change. The Permittee can show subareas such as the 160-acre IBC to show when subareas were approved.

OPERATION PLAN

MINING OPERATIONS AND FACILITIES

Regulatory Reference: 30 CFR 784.2, 784.11; R645-301-231, -301-526, -301-528.

Analysis:

The Permittee met the minimum requirements for this section by providing information on the expansion of the permit area. The Permittee does not propose any surface disturbance in 160-acre addition.

Findings:

Information provided in the proposed amendment is considered adequate to meet the requirements of this section.

RELOCATION OR USE OF PUBLIC ROADS

Regulatory Reference: 30 CFR 784.18; R645-301-521, -301-526.

TECHNICAL MEMO

Analysis:

The Permittee met the minimum requirements of this section by stating that they will not relocate or use any public roads in the 160-acre addition.

Findings:

Information provided in the proposed amendment is considered adequate to meet the requirements of this section.

COAL RECOVERY

Regulatory Reference: 30 CFR 817.59; R645-301-522.

Analysis:

This amendment deals only with the addition of 160-acres. Because the 160-acre lease is federal, the BLM must approve a Resource Recovery Protection Plan (R2P2) for the area. The BLM found that the recovery plan is adequate for the 160-acre IBC.

The Division relies on the R2P2 for information about the coal recovery plan. The Division found that full extraction in the 160-acre IBC would maximize coal recovery. Full extraction will allow the Permittee to maximize coal recovery.

Findings:

The Permittee met the minimum requirements of this section of the regulations.

SUBSIDENCE CONTROL PLAN

Regulatory Reference: 30 CFR 784.20, 817.121, 817.122; R645-301-521, -301-525, -301-724.

Analysis:

Subsidence Control Plan

The Permittee did not meet the minimum requirements for this section. The Permittee did not update the subsidence plan in Appendix V B to include information about subsidence in the 160-acre IBC.

TECHNICAL MEMO

The Permittee identified renewable resources within the 160-acre IBC; therefore, they must have a subsidence control plan. The subsidence control plan is as follows:

- A description of coal removal method is in Section XIII.D.1 of the MRP.
- Plate V-5 shows the underground workings and the area where subsidence will occur. The Permittee needs to include projected subsidence contours on the map so that the Division and the Permittee can determine the accuracy of the subsidence model.
- Section V. A of the MRP contains a description of the physical conditions that could affect subsidence. The Permittee needs to include the thickness of the overburden above the subsidence area and the overlying stratigraphy.
- Section V. B of the MRP contains the subsidence monitoring plan. The Permittee must update the monitoring plan to include the 160-acre IBC.
- The Permittee must include a description of the anticipated effects of planned subsidence in the 160-IBC.

Findings:

Information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Before approval, the Permittee must provide the following in accordance with:

R645-301-525.460 and R645-301-525.490, The Permittee needs to describe in detail the anticipated effects of subsidence in the 160-acre IBC. The Permittee must state the anticipated angle-of-draw. The description must include a map that shows the anticipated subsidence contours lines.

R645-301-525.130, The Permittee must include in the subsidence survey information about the quality and quantity of State appropriated water in and around the 160-acre IBC. In addition, the Permittee must give a copy of the update survey to property owners and water conservancy districts.

R645-301-525.400, The Permittee must update the subsidence plan in Section V. B of the MRP to include references to the subsidence monitoring activities that will occur in the 160-acre IBC. For example, • item 1a on page 36 of Chapter V, only mention monthly subsidence monitoring on the 1st and 2nd south panels and • item 2a on page 37 of Chapter V, only mention photographs above the 1st South panel.

R645-301-525.430, The Permittee must include information about the overburden thickness and stratigraphy above the full extraction area.

TECHNICAL MEMO

MAPS, PLANS, AND CROSS SECTIONS OF MINING OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-512, -301-521, -301-542, -301-632, -301-731, -302-323.

Analysis:

Affected Area Maps

The affected area is shown on the permit boundary maps which are discussed elsewhere in the TA.

Mining Facilities Maps

There are not new mine facilities associated with the 160-acre IBC.

Mine Workings Maps

The Permittee met the requirements by showing the mine workings on several maps including Plate V-5. The mine plan was developed on the assumption that the 160-acre IBC would be added.

Certification Requirements

The Permittee met the requirements for map certification.

Findings:

The Permittee met the minimum requirements of this section of the regulations.

RECLAMATION PLAN

GENERAL REQUIREMENTS

Regulatory Reference: PL 95-87 Sec. 515 and 516; 30 CFR Sec. 784.13, 784.14, 784.15, 784.16, 784.17, 784.18, 784.19, 784.20, 784.21, 784.22, 784.23, 784.24, 784.25, 784.26; R645-301-231, -301-233, -301-322, -301-323, -301-331, -301-333, -301-341, -301-342, -301-411, -301-412, -301-422, -301-512, -301-513, -301-521, -301-522, -301-525, -301-526, -301-527, -301-528, -301-529, -301-531, -301-533, -301-534, -301-536, -301-537, -301-542, -301-623, -301-624, -301-625, -301-626, -301-631, -301-632, -301-731, -301-723, -301-724, -301-725, -301-726, -301-728, -301-729, -301-731, -301-732, -301-733, -301-746, -301-764, -301-830.

Analysis:

The addition of the 160-acres does will not require any additional reclamation activities, including a bond adjustment.

Findings:

The Permittee met the minimum requirements of this section of the regulations.

RECOMMENDATIONS:

The Division should deny the amendment until all of the above mentioned deficiencies have been adequately addressed.